



# UNITED STATES PATENT AND TRADEMARK OFFICE

**UNITED STATES DEPARTMENT OF COMMERCE**  
**United States Patent and Trademark Office**  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/659,111	09/09/2003	Fernando Incertis Carro	FR920020069US1	4337

30449	7590	05/25/2007
SCHMEISER, OLSEN & WATTS		
22 CENTURY HILL DRIVE		
SUITE 302		
LATHAM, NY 12110		

EXAMINER	
BESROUR, SAOUSSEN	

ART UNIT	PAPER NUMBER
2131	

MAIL DATE	DELIVERY MODE
05/25/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/659,111

Applicant(s)

CARRO, FERNANDO INCERTIS

Examiner

Saoussen Besrouer

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 March 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>3/6/2007</u> .  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This action is in response to amendment filed 3/13/2007. Claims 1, 3, 4, 7, and 11 were amended. Claims 1-20 are pending. Applicant's arguments/ amendments with respect to the claims have been fully considered but they are not persuasive. The Examiner would like to point out that this action is made final (See MPEP 706.07a).

### ***Claim Rejections - 35 USC § 101***

2. Corrections to the claims have been received on 3/13/2007, thus previous 101 rejection has been withdrawn.

### ***Response to Arguments***

3. Applicant's arguments filed 3/13/2007 have been fully considered but they are not persuasive.

Regarding Applicant's argument on Page 12-13 of Remarks that Logue does not teach the feature "computing a hash value of said computer file using a hash function by the sender to generate the encoded authentication information," and "comparing the encoded and the computed hash values and if the encoded..." Examiner respectfully disagrees and would like to point out Paragraph 60 and 61 where Logue states an application identifier among other variables are input into the hash function, which examiner interprets as the computer file, and Logue also discloses the decryption process of the digital signature. Examiner would also like to point out that while

computing a digital signature the sender uses a one-way hash function to generate a hash code of about 32 bits from the message data, he then encrypts the hash code with his private key. The receiver recomputes the hash code from the data and decrypts the received hash with the sender's public key. If the two hash codes are equal, the receiver can be sure that data has been corrupted and that it came from the given sender.

4. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. **Claims 1, 2, 3, 4, 5, 6, 7, 8, 9, 14, 15, 16, 17, 18, 19 and 20** are rejected under 35 U.S.C. 102(b) as being anticipated by Atkinson et al. (US 6,367,012).

As per **claim 1**, Atkinson et al. discloses: A computer file containing digital data wherein authentication information is encoded in the filename of said computer file at a predetermined position or using delimiters, said computer file being attached to an email as an email attachment (Column 2, Lines 25-36, Column 23 Lines 15-67 and Column 24, Lines 45-20).

As per **claim 2, 8 and 9**, Atkinson et al. discloses: computing a digital signature of the computer file using a private key of a sender (Column 2, Lines 53-57, Column 3, Lines 13-20); and, encoding said computed digital signature in a filename of said computer file at a predetermined position or using delimiters (Column 3, Lines 34-40 and Column 23, Lines 15-67).

As per **claim 3**, rejected as applied to claim 2. Atkinson et al. discloses: adding said computed digital signature in the filename just before a file extension comprised by the filename, said file extension being located at an end of the filename (Column 6, Lines 50-Column 7, Lines 8, Column 23, Lines 15-67). Examiner would like to point out that syntactically, nothing can be added after the extension of the filename.

As per **claim 4 and 17**, rejected as applied to claim 2. Furthermore, Atkinson et al. discloses: the step of computing a digital signature is based on public-key algorithm (Column 2, Lines 53-57 and Column 3, Lines 13-20).

As per **claim 5**, rejected as applied to claim 2. Furthermore, Atkinson et al. discloses: computing a hash value of said computer file; and computing a digital signature of the computed hash value using the private key of the sender (Column 2, Lines 53-55, Column 3, Lines 33-35).

As per **claim 6**, rejected as applied to claim 5. Furthermore, Atkinson et al. discloses: computing a hash value uses a Secure Hash Algorithm or a Message-Digest-5 algorithm (Column 2, Lines 53-55, Column 3, Lines 33-35).

As per **claim 7**, rejected as applied to claim 2. Furthermore, Atkinson et al. discloses: wherein a second file is attached or linked to the computer file (Column 2,

Lines 62-63), and wherein the method further comprises: computing a digital signature of the second file in a filename of said second file at a predetermined position or using delimiters (Column 3, Lines 5-7 and Column 3, Lines 33-40).

As per **claim 14**, rejected as applied to claim 1. Furthermore, Atkinson et al. discloses: wherein the authentication information encoded in the filename is a digital signature encoded in the filename of the computer file (Column 2, Lines 25-36, Column 23 Lines 15-67 and Column 24, Lines 45-20).

As per **claim 15**, rejected as applied to claim 14. Furthermore, Atkinson et al. discloses: wherein the digital signature encode in the computer file is a digital signature of a hash value of the computer file (Column 2, Lines 53-55).

As per **claim 16**, rejected as applied to claim 14. Furthermore, Atkinson et al. discloses: wherein the digital signature is encoded in the filename just before a file extension comprised by the filename, said file extension being located at an end of the filename (Column 6, Lines 50-Column 7, Lines 8, Column 23, Lines 15-67).

As per **claim 18**, rejected as applied to claim 2. Furthermore, Atkinson et al. discloses: after said encoding, attaching the computer file to an email as an attachment to the email (Column 2, Lines 25-36, Column 23 Lines 15-67 and Column 24, Lines 45-20).

As per **claim 19**, rejected as applied to claim 2. Furthermore, Atkinson et al. discloses: a computer program (Column 6, Line 5).

As per **claim 20**, rejected as applied to claim 2. Furthermore, Atkinson et al. discloses: an audio file (Column 6, Lines 5).

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. **Claims 10, 12 and 13** are rejected under 35 U.S.C. 102(e) as being anticipated by Logue et al. (US 2002/0174341).

As per **claim 10**, Logue et al. discloses: extracting said authentication information from the filename of the computer file at a predetermined position or using delimiters (0062); recovering an encoded hash value of the computer file by using a public key of a sender of the computer file and the extracted authentication information (0062); computing a hash value of said computer file using a hash function used by the sender to generate the encoded authentication information (0062); comparing the encoded and the computed hash values (0062); and, if the encoded and the computed hash values are identical, processing the computer file, else, if the encoded and the computed hash values are different, rejecting the computer file (0023, 0062, limited to client identified by signature).

As per **claim 12**, Logue et al. discloses: extracting said authentication information from the filename of the computer file at a predetermined position or using delimiters (0062); recovering an encoded hash value of the computer file by using a public key of a sender of the computer file and the extracted authentication information (0062); computing a hash value of said computer file using a hash function used by the sender to generate the encoded authentication information (0062); comparing the encoded and the computed hash values (0062); and, if the encoded and the computed hash values are identical, processing the computer file, else, if the encoded and the computed hash values are different, rejecting the computer file (0023, 0062, limited to client identified by signature).

As per **claim 13**, Logue et al. discloses: extracting said authentication information from the filename of the computer file at a predetermined position or using delimiters (0062); recovering an encoded hash value of the computer file by using a public key of a sender of the computer file and the extracted authentication information (0062); computing a hash value of said computer file using a hash function used by the sender to generate the encoded authentication information (0062); comparing the encoded and the computed hash values (0062); and, if the encoded and the computed hash values are identical, processing the computer file, else, if the encoded and the computed hash values are different, rejecting the computer file (0023, 0062, limited to client identified by signature).



***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claim 11** is rejected under 35 U.S.C. 103(a) as being unpatentable over Logue et al. (US 2002/0174341) in view of Atkinson et al. (US 6,367,012).

As per **claim 11**, rejected as applied to claim 10. Atkinson et al. does not explicitly teach wherein a second file is attached or linked to the computer file, wherein the second file has a filename comprising authentication information, and wherein the method further comprises: extracting said authentication information from the file name of the second file at a predetermined position or using delimiters; recovering an encoded hash value of the second file by using the public key of the sender and the extracted authentication information of the second file; computing a hash value of said second file using a hash function used by the sender to generate encoded authentication information of the second file; comparing the encoded and the computed hash values of the second file; and if the encoded and the computed hash of the second file values are identical, processing the second file, else, if the encoded and the computed hash values are different, rejecting the second file. However, Atkinson et al. discloses: wherein a second file is attached or linked to the computer file, wherein the second file has a filename comprising authentication information (Column 2, Lines 62-63), and wherein the method further comprises: extracting said authentication

Art Unit: 2131

information from the file name of the second file at a predetermined position or using delimiters (Column 3, Lines 13-23); recovering an encoded hash value of the second file by using the public key of the sender and the extracted authentication information of the second file (Column 3, Lines 13-23); computing a hash value of said second file using a hash function used by the sender to generate encoded authentication information of the second file; comparing the encoded and the computed hash values of the second file (Column 3, Lines 13-23); and if the encoded and the computed hash of the second file values are identical, processing the second file, else, if the encoded and the computed hash values are different, rejecting the second file (Column 3, Lines 13-31). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to use the teachings of Atkinson et al. in conjunction with the teachings of Logue et al. for the benefit of a two level identity confirmation to provide the recipient with a concise, simple assurance of the authenticity and integrity of the file (Column 3, Lines 46-48).

### ***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saoussen Besrouer whose telephone number is 571-272-6547. The examiner can normally be reached on M-F 8:30am to 5:00pm.

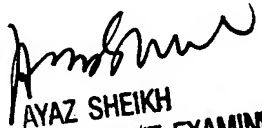
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2131

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SB

May 21, 2007

  
AYAZ SHEIKH  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100